IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

NOTICE OF MOTION NO. 577 OF 2003

IN

SUIT NO. 597 OF 2003

Hindustan Lever Ltd .....**Plffs.**
vs.
Indian Tea Co. .....**Defnds.**

Mr.Virendra Tulzapurkar a/w. Amit Jamsandekar i/b. Crawfor Bayley and Company advocate for the plaintiffs.

CORAM: S.U. KAMDAR, J.

DATE : 15th September, 2005.

P.C. :.

1. The present suit is filed inrespect of infringement of copy rights and passing off action. The design and get up under the name ‘Super Dust’ belonging to the plaintiffs is infringed and used by the defendants under the brand name of ‘Super Taste’. Learned counsel for the plaintiff has

produced before me the carton inrespect of both the products. They are simply absolutely identical. The motion is served. Affidavit of service dated 4.3.03 is taken on record. Inspite of motion being served there is no reply filed to the present notice of motion. None appears for the defendants. In that view of the matter motion is made absolute in terms of prayer clause (a), (b) and (c). Motion disposed off accordingly.

sd/-

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